

In the United States District Court
For the Northern District of Texas
Dallas Division

John T. Lamont and Preston
Poulter
Plaintiffs

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No. 3:21-cv-1176-K-BN

v.

Dean Assaf et al.
Defendants

**1 Plaintiffs' Request for Entry of Default Against Defendant
Victoria Kundert**

Pursuant to Fed. R. Civ. P. 55 and Local Civil Rule 55.2, Plaintiffs John T. Lamont and Preston Poulter respectfully request that the clerk of the Court enter default against Defendant Victoria Kundert upon the complaint filed and served in this case, and in support thereof shows the Court the following.

Plaintiffs filed their Original Complaint on May 23, 2021. Dkt. 1. Plaintiffs amended the complaint on June 3, 2021. Exhibit 1 (Dkt. 6). In Plaintiffs' live complaint, they allege that Defendant Victoria Kundert made defamatory statements about Plaintiffs that caused them to suffer general and special damages. Dkt. 6 at 6–18.

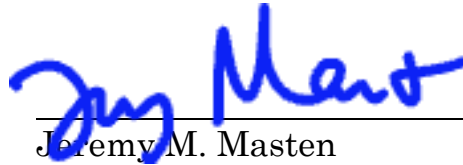
Defendant Kundert was served with the summons by personal delivery on October 14, 2021. Exhibit 2 (Dkt. 32). Under the rules, Defendant Kundert's answer date was November 4, 2021. Fed. R. Civ. P. 12(a)(1)(A)(i).

As of the date of this filing, Defendant Kundert has neither answered nor appeared.

Defendant is not a minor, not incompetent, and not a member of the military. Exhibit 3 (Poulter Affidavit).

Plaintiffs therefore request that the clerk enter default against Defendant Kundert.

Respectfully submitted,



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Counsel for Plaintiffs

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served on all parties through the Court's CM/ECF system, including those listed below, on November 24, 2021.

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Pro se defendant



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